

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN ARMANDO PEREZ-ROSALES,

Defendant.

No. CR 04-60053-AA

ORDER

AIKEN, Judge:

On August 5, 2005, defendant was sentenced to sixty-three months imprisonment upon his conviction for distribution of 50 or more grams of methamphetamine. After two unsuccessful motions filed under 28 U.S.C. § 2255, defendant now seeks to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(1).

However, § 3582(c)(1) permits a reduction in sentence under

two very narrow exceptions: 1) upon motion of the Director of the Bureau of Prisons and with certain conditions being met; and 2) if the Sentencing Commission subsequently lowered the sentencing range under which a defendant was sentenced. Neither exception applies in this case. Therefore, defendant's motion to reduce sentence (doc. 45) is DENIED.

IT IS SO ORDERED.

Dated this 5 day of September, 2007.



Ann Aiken
United States District Judge